Improvement Res. No. 1439-80

Condemn of permanent easement for building of a dike. J.O. Brown's Add. Extend

Resolution Adopted: August 27, 1980

Confirmed:

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed: Nov. 6, 1980

to Dep F.

B.O. 94-80

DECLARATORY

Improvement Resolution No. 1439 **19** 80

for the condemnation of a permanent easement for the building of a dike on part of SW ¼ Sec. 3 T 30 R 12 lying east of Lots #9 and #10, J.O. Brown's Add. Extended

Width: _____ Ft.

Plans Ordered:

Adopted: August 27, 1980

Advt. "Notice to P.O.": Sept. 12 and 19, 1980

Not. to P. O. Mailed: September 19, 1980

Hearing on Confirmation: Thursday, Oct. 2, 1980 at 3:30 p.m.

Remonstrance Filed:

Confirmed:

Finally Confirmed:

Advt. "Notice to Contr's":

Receive Bids:

Contract Awarded:

Contract Awarded to:

For:

At:

Reported Completed:

Primary Assmt. Roll Appr'd: B. & D. approved: Oct. 15, 1980

Advt. "Assessment Notice": Served: Oct. 24, 1980

Hearing on Confir'n of Assmt. Roll: Thurs. Nov. 6, 1980 at 3:30pm

Assessment Roll Confirmed: 11/6/80

to D. of F.

69-147-9 H.1.
8/27/80

DECLARATORY RESOLUTION No. 1439 19 80

a permanent easement

For the ~~Vacation~~ - ~~Opening~~ - Condemnation of ~~right of way~~ for ~~utility purposes~~ the building of a dike on part of SW¼ Sec. 3 T 30 R 12 lying east of Lots #9 and #10, J. O. Brown's Add. Extended.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right-of-way across part of SW¼ Sec. 3, T 30 R 12 E lying east of Lots #9 and #10, J. O. Brown's Add. Extended, more particularly described as follows: Commencing at a point on the east R/W line of Watkins St. which is 8' north of the northwest corner of Lot #10, J. O. Brown's Addition; thence east 147' on a line which is parallel to the north property line of said Lot #10 extended; which is the true point of beginning; thence continue east along said north property line a distance of 2'; thence south 36.5' on a line which is parallel to the east R/W of Watkins St.; thence west 18' on a line parallel to the north property line; thence northeasterly to the point of beginning.

a permanent easement dike

All as shown by a plan of such proposed ~~Vacation~~ - ~~Opening~~ - Condemnation of ~~right of way~~ for ~~utility~~ purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

a permanent easement dike

The cost of said ~~Vacation~~ - ~~Opening~~ - Condemnation of ~~right of way~~ for ~~utility~~ purposes shall be assessed against the property beneficially affected thereby.

**a permanent easement

The property which may be injuriously or beneficially affected by such ~~Vacation~~ - ~~Opening~~ - Condemnation of ~~right of way~~ for ~~utility~~ dike purposes is described as follows: Pt. SW¼ Sec. 3, T 30 N, R 12 E lying east of Lots #9 and #10, J. O. Brown's Add.; said space is inclusive to the City of Fort Wayne, Indiana.

~~All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.~~

~~Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.~~

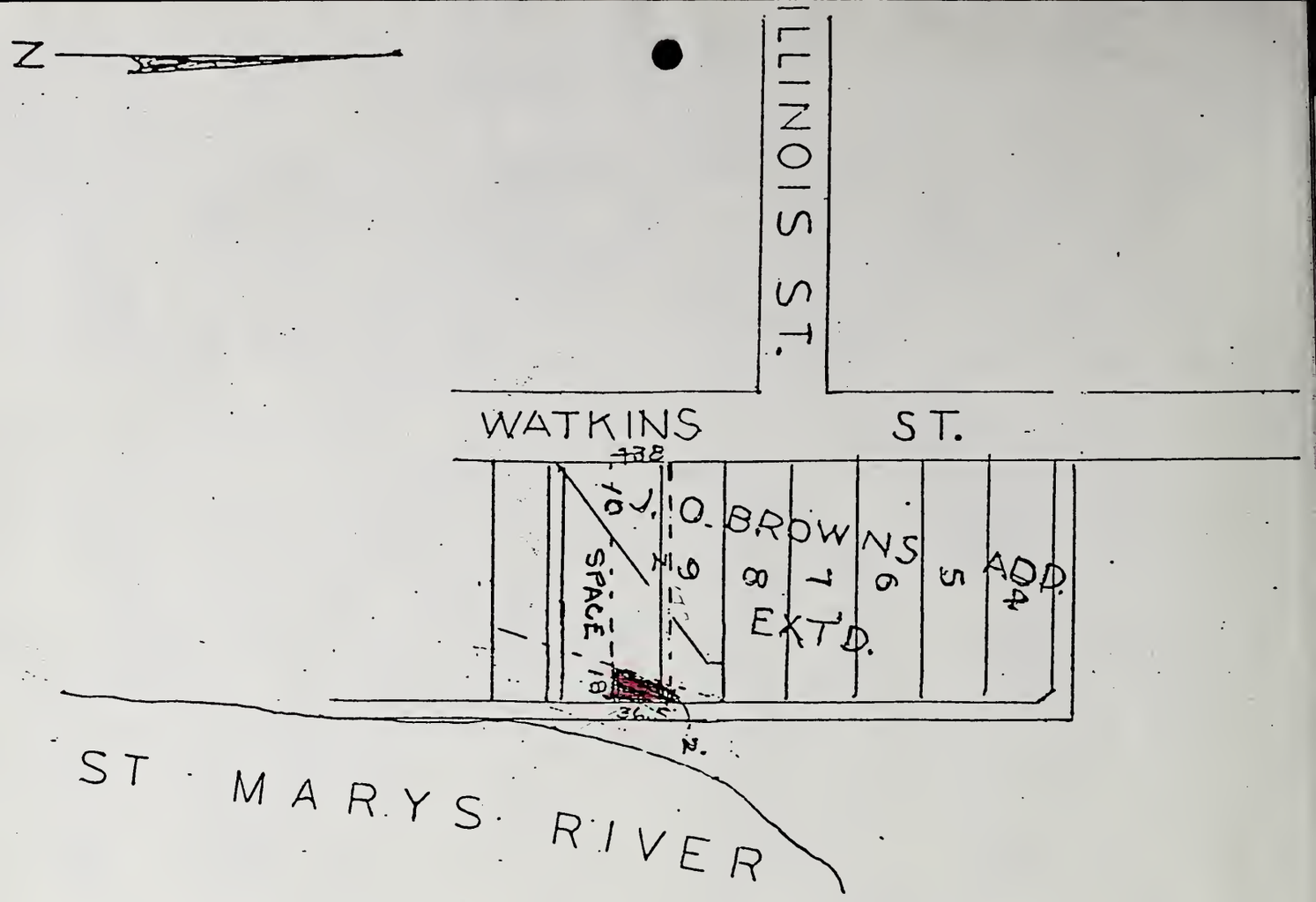
~~The vacation of the above described _____ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

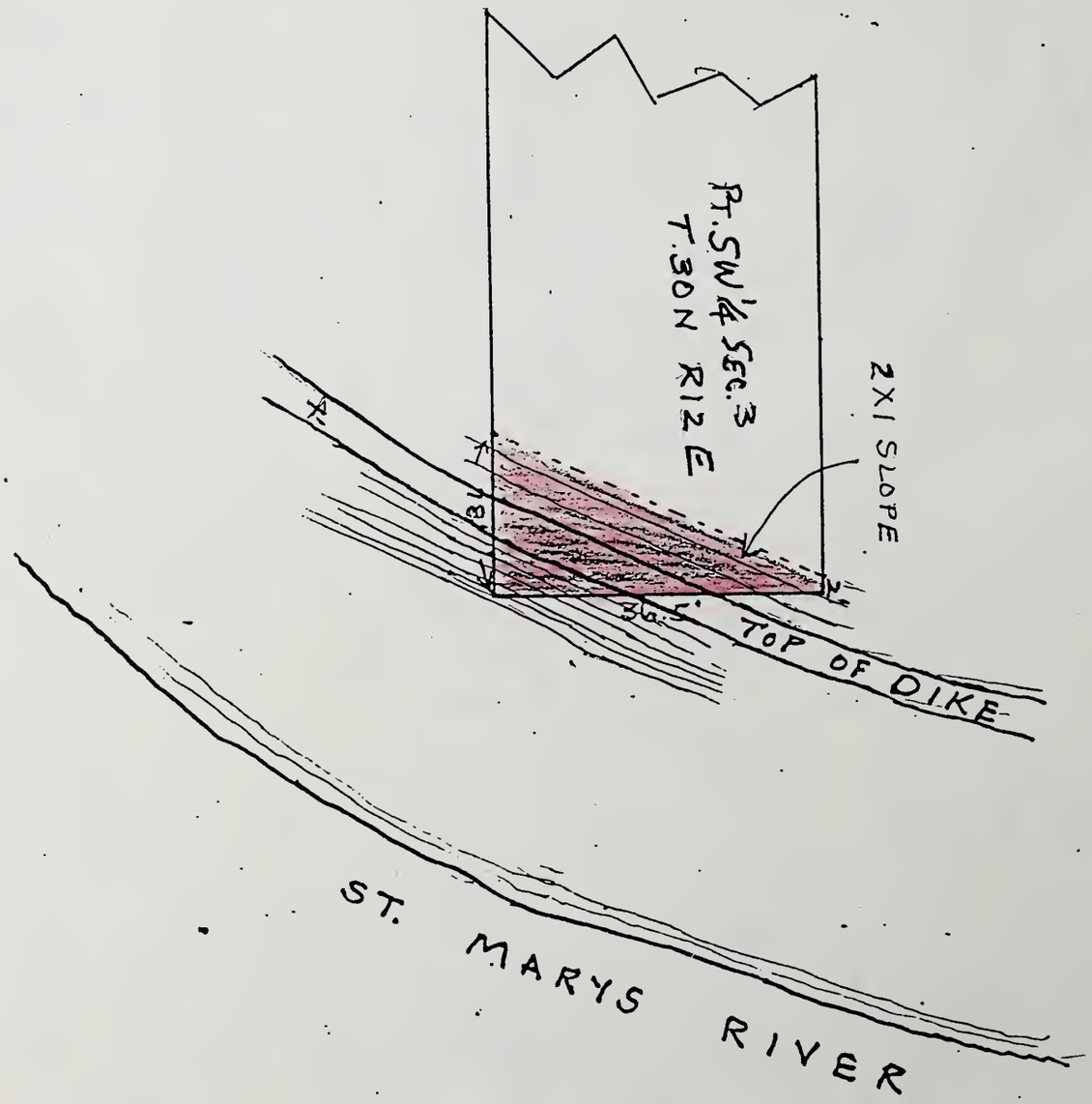
All ~~Streets, Lots and~~ lands affected by the above described condemnation are situated in the SW¼, Section 3, T 30 N, R 12 E, and lie wholly within the Corporate Limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 27th DAY OF August 19 80

Attest: Sandra E Kennedy
Secretary Board of Public Works.

Robert Lederer Sr Pres
Board of Public Works.


N
ILLINOIS ST.
WATKINS ST.
J. O. BROWNS ADD.
1
SPACE
10
9
8
7
6
5
4
EXT'D.
ST MARYS RIVER


PT. SW¼ SEC. 3
T. 30 N R. 12 E
2 X 1 SLOPE
TOP OF DIKE
ST. MARYS RIVER

OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE 2, INDIANA

B.O. 94-80

Date October 2, 1980 70-4-1

To STREET ENGINEERING DEPARTMENT

Subject Declaratory Res. 1439-80 - J.O. Brown's Add. Extended

CONFIRMED.

Please prepare assessment roll of benefits and damages.

Attached is property ownership list.

RECEIVED
OCT 8 1980
STREET ENGINEERING DEPARTMENT

M.L. AKERS
H.R. GAMACHE
R.A. STATEN
BOARD OF PUBLIC WORKS

ajf

attachment - P.O. List

Signed

Reply:

APPROVED
Board of Public Works

October 10, 1980

Attached is original and one copy of Assessment Roll of Benefits and Damages pertaining to subject Declaratory Resolution.

Also, attached is Property Ownership List.

Melvin J. Salyer,
Street Engineering Dept.

Att.

70-15-37 10/15/80

BOARD OF PUBLIC WORKS
RECEIVED
OCT 10 1980

NOTED
M.L.A.
R.A.S.
H.R.G.

Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE 2, INDIANA

B.O. 94-80

Date October 2, 1980 70-4-1

To STREET ENGINEERING DEPARTMENT

Subject Declaratory Res. 1439-80 - J.O. Brown's Add. Extended

CONFIRMED.

Please prepare assessment roll of benefits and damages.

Attached is property ownership list.

M.L. AKERS
H.R. GAMACHE
R.A. STATEN
BOARD OF PUBLIC WORKS

ajf

attachment - P.O. List

Signed

Reply:

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana that on the 27th day of August, 1980, the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION NO. 1439-1980

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn a permanent easement for the building of a dike on part of SW¼ Section 3T 30R 12 lying east of Lots #9 and #10 J.O. Brown's Addition Extended as follows:

> Commencing at a point on the east R/W line of Watkings Street which is 8' north of the northwest corner of Lot #10, J.O. Brown's Addition; thence east 147' on a line which is parallel to the north property line of said Lot #10 extended; which is the true point of beginning; thence continue east along said north property line a distance of 2'; thence south 35.6' on a line which is parallel to the east R/W of Watkins Street; thence west 18' on a line parallel to the north property line; thence northeasterly to the point of beginning.

All as shown by a plan of such of such proposed - For condemnation of a permanent easement for dike purposes as above described, now on file in the Office of the Board of Public Works of the City of Fort Wayne.

The Board of Public Works has fixed Thursday, the 2nd day of October, 1980 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

MARK L. AKERS
ROBERTA ANDERSON STATEN
HERBERT R. GAMACHE
BOARD OF PUBLIC WORKS

ATTEST: Sandra E. Kennedy, Clerk

PUBLISH: SEPTEMBER 12 and 19, 1980

N O T I C E T O P R O P E R T Y O W N E R

Office Board of Public Works
CITY-COUNTY BUILDING
Fort Wayne, Indiana 1980 September 19, 1980

To Robert James Stone
1830 Beineke Road
Fort Wayne, Indiana 46808

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did adopt Declaratory Resolution No. 1439-80 providing for the

Condemnation of a permanent easement for the building of a dike on part of SW¼, Section 3, T30 N, R 12E lying East of Lots #9 & #10 J.O. Brown's Addition Extended.

The Board has fixed October 2nd, 1980 at 3:30 p.m., City-County Building, Rm. 910, Thursday a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by said Declaratory Resolution.

PROPERTY DESCRIPTION:

SPACE EAST OF LOT 9 & 10
J.O. Brown's Addition SW¼, Section 3, T 30N, R12E.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

1439-1980

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Fort Wayne Board of Public Works
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines	
Head	number of lines	1
Body	number of lines	48
Tail	number of lines	5
	Total number of lines in notice	54

COMPUTION OF CHARGES

54 lines, 1 columns wide equals 54 equivalent lines at .253¢ cents per line $ 13.66

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) _____

TOTAL AMOUNT OF CLAIM. $ 13.66

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date Sept. 19, 19 80

Title CLERK

Legal Notice

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, to property owners, persons and corporations as follows:

DECLARATORY RESOLUTION
NO. 1439-1980

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn a permanent easement for the building of a dike on part of SW¼ Section 3T 30R 12 lying east of Lots #9 and #10 J.O. Brown's Addition Extended as follows:

Commencing at a point on the east R/W line of Watkings Street which is 8' north of the northwest corner of Lot #10, J.O. Brown's Addition; thence east 147' on a line which is parallel to the north property line of said Lot #10 extended; which is the true point of beginning; thence continue east along said north property line a distance of 2'; thence south 35.6' on a line which is parallel to the east R/W of Watkins Street; thence west 18' on a line parallel to the north property line, thence northeasterly to the point of beginning.

All as shown by a plan of such of such proposed For condemnation of a permanent easement for dike purposes as above described, now on file in the Office of the Board of Public Works of the City of Fort Wayne.

The Board of Public Works has fixed Thursday, the 2nd day of October, 1980 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

MARK L. AKERS
ROBERTA ANDERSON STATEN
HERBERT R. GAMACHE
BOARD OF PUBLIC WORKS
ATTEST: Sandra E. Kennedy, Clerk.
9—12-19

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 9/12 - 9/19/80

Arvilla DeWald

Subscribed and sworn to before me this 19th day of September, 19 80

Harry H. Oberlin
Notary Public

My commission expires September 28, 1983

Claim No. _____ Warrant No. _____

IN FAVOR OF

Fort Wayne Newspapers, Inc.
Agent for Journal-Gazette
600 W. Main Street
Fort Wayne, Indiana 46802

$.....

On Account of Appropriation for

.....

Appropriation No......

Allowed.....**19**.....

In the sum of $.....

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.....

I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is apparently Correct / Incorrect

.....

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

.....

.....197.....

TABLE SHOWING PRICE PER LINE AND PER INSERTION FOR

SIZE OF TYPE	9.6 Em Column (132 Points) Number of Insertions 1	2	3	4
6	.169	.253	.338	.422

Note: Above table is based on a square of 250 ems.

Form Prescribed by State Board of Accounts

General Form No. 99 P(Rev. 1967)

Fort Wayne Board of Public Works
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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TOTAL AMOUNT OF CLAIM. $ 13.66

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

D. Roose

Date Sept.19, 19 80

Title CLERK

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana that on the 27th day of August, 1980, the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION
NO. 1439-1980

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn a permanent easement for the building of a dike on part of SW¼ Section 3T 30R 12 lying east of Lots #9 and #10 J.O. Brown's Addition Extended as follows:

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All as shown by a plan of such of such proposed-For condemnation of a permanent easement for dike purposes as above described, now on file in the Office of the Board of Public Works of the City of Fort Wayne.

The Board of Public Works has fixed Thursday, the 2nd day of October, 1980 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

MARK L. AKERS
ROBERTA ANDERSON STATEN
HERBERT R. GAMACHE
BOARD OF PUBLIC WORKS
ATTEST: Sandra E. Kennedy, Clerk.
9—12-19

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned D. Roose who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

9/12 - 9/19/80

D. Roose

Subscribed and sworn to before me this 19th day of September 19 80

Notary Public

My commission expires September 28, 1983

Form C

Claim No. _____ Warrant No. _____

IN FAVOR OF

Fort Wayne Newspapers, Inc.
Agent for The News-Sentinel
600 W. Main Street
Fort Wayne, Indiana 46802

$.....

On Account of Appropriation for

.....

Appropriation No......

Allowed .....**19**.....

In the sum of $.....

.....

.....

.....

.....

.....

I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is apparently Correct / **Incorrect**

.....

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

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SIZE OF TYPE	9.6 Em Column (132 Points) Number of Insertions 1	2	3	4
6	.169	.253	.338	.422

Note: Above table is based on a square of 250 ems.

Improvement Resolution No. 1439-80 **For** THE CONDEMNATION OF A PERMANENT EASEMENT FOR THE BUILDING OF A DIKE ON PART OF SW 1/4, SEC. 3, T30N, R12E LYING EAST OF LOTS #9 & #10 J.D. BROWN'S ADD EXTENDED

	OWNER'S NAME	ADDRESS	NUMBER OF LOT	NUMBER OF BLOCK	NUMBER OF O.L.	DESCRIPTION
1	STONE, ROBERT JAMES	1830 BEINEKE RD.	SPACE EAST OF LOT 9 & 10			J.D. BROWN'S ADD. SW 1/4, SEC. 3, T30N, R12E.
2						
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64						
65						
		TOTAL				

B.O. 94-80